

PILLSBURY WINTHROP SHAW PITTMAN LLP
 ROBERT C. PHELPS #106666
 robert.phelps@pillsburylaw.com
 RANAH L. ESMAILI #233477
 ranah.esmaili@pillsburylaw.com
 50 Fremont Street
 Post Office Box 7880
 San Francisco, CA 94120-7880
 Telephone: (415) 983-1000
 Facsimile: (415) 983-1200
 Attorneys for Plaintiff
 CHEVRON U.S.A. INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND DIVISION

PETROLEUM SALES, INC.,

Plaintiff,

vs.

VALERO REFINING COMPANY-
 CALIFORNIA, VALERO MARKETING
 AND SUPPLY COMPANY, and DOES 1
 through 20,

Defendants.

No. C-05-3526 SBA

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
COMPLETE VOLUNTARY ADR
PROCEDURE

Plaintiff PETROLEUM SALES, INC. and Defendants VALERO REFINING
 COMPANY-CALIFORNIA and VALERO MARKETING AND SUPPLY COMPANY,
 through their respective counsel, and following discussions with the assigned mediator in
 this matter (R. Stephen Goldstein, Esq.), hereby jointly request that the Court extend the
 time for completion of voluntary ADR to September 29, 2006, for the reasons set forth
 below.

The parties have agreed to a voluntary mediation of this dispute and have been
 assigned to R. Stephen Goldstein, Esq., of Goldstein, Gellman, Melbostad, Gibson &
 Harris, LLP, 1388 Sutter Street, Suite 1000, San Francisco CA 94109-5494. This request

1 for additional time for completion of mediation comes as a result of discussions with Mr.
2 Goldstein regarding the likelihood of settlement at mediation at this time, given the posture
3 of the case.

4 The parties' discovery efforts were delayed by various disputes that resulted in
5 motions heard by Magistrate Judge Maria-Elena James. Judge James ruled on those
6 disputes on May 3, 2006. While Plaintiff expressed a willingness to go forward with
7 mediation prior to the May 31, 2006 cutoff, Defendants believed that the parties' discovery
8 efforts have not progressed to a point where a meaningful mediation could take place.
9 Moreover, the date proposed for the mediation by Mr. Goldstein (May 26, 2006) was
10 impractical for Defendants. That date is the Friday of the Memorial Day weekend, and
11 travel from San Antonio, TX, for Defendants' corporate representative was impractical.

12 For the foregoing reasons, the parties respectfully request that the deadline for
13 completing mediation be extended to September 29, 2006.

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1 Dated: May 25, 2006.

2 PILLSBURY WINTHROP SHAW PITTMAN LLP
3 ROBERT C. PHELPS
4 RANAH L. ESMAILI
5 50 Fremont Street
6 Post Office Box 7880
7 San Francisco, CA 94120-7880

8 By /s/ Robert C. Phelps
9 Robert C. Phelps

10 Attorneys for Defendants
11 VALERO REFINING COMPANY-
12 CALIFORNIA and VALERO MARKETING
13 AND SUPPLY COMPANY.

14 Dated: May 25 2006.

15 DANE J. DURHAM
16 12989 Occidental Road
17 Sebastopol, CA 95472

18 By 
19 Dane J. Durham

20 Attorney for Plaintiff
21 PETROLEUM SALES, INC.

22 Based upon the representations of counsel herein and good cause appearing, it is
23 hereby ORDERED that the deadline for completion of voluntary ADR proceedings in this
24 case is extended to September 29, 2006.

25 Dated: _____, 2006.

26 By 
27 Hon. Sandra Brown Armstrong
28 United States District Court Judge